

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

MARZETTA BUGGS

V.

GMAC MORTGAGE, L.L.C., ET AL.

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CASE NO. 4:11CV641
Judge Schneider/Judge Mazzant

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On January 19, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plaintiff's Motion to Remand to State District Court (Dkt. No. 14) be denied.

The Court, having made a *de novo* review of Plaintiff's objections (Dkt. No. 30), is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED** that Plaintiff's Motion to Remand to State District Court (Dkt. No. 14) is **DENIED**.

It is further **ORDERED** that, based upon the Court's decision on the Motion to Remand, the Substitute Trustees' Motion to Dismiss Pursuant to Texas Property Code § 51.007 (Dkt. No. 10) is **GRANTED** and Substitute Trustee Defendants Noel McNally, Cassandra Inouye, and Erika Puentes

are **DISMISSED** with prejudice, as are Defendants Cathy Lee, Robert Lee, Robin Weldon, Pite Duncan, and Daniel Gamez.

It is SO ORDERED.

SIGNED this 24th day of February, 2012.

A handwritten signature in black ink, reading "Michael H. Schneider", written over a horizontal line.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE